

**TOWN OF DAVIE  
TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Evelyn Roig, Assistant Town Clerk/954-797-1026

**PREPARED BY:** Evelyn Roig, Assistant Town Clerk

**SUBJECT:** Other -

**AFFECTED DISTRICT:** n/a

**ITEM REQUEST:** Schedule for Council Meeting

**TITLE OF AGENDA ITEM:** January 20, 2010 Minutes (Regular Meeting)

**REPORT IN BRIEF:** Council meeting minutes from the January 20, 2010 Regular Meeting.

**PREVIOUS ACTIONS:** n/a

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):** Other -

**Attachment(s):** January 20, 2010 Regular Meeting Minutes

## **REGULAR MEETING**

**January 20, 2010**

**7:00 PM**

### **1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:05 p.m. and was followed by the Pledge of Allegiance.

### **2. ROLL CALL**

Present at the meeting were Mayor Paul, Vice-Mayor Crowley and Councilmembers Caletka, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Rayson, Town Clerk Muniz and Assistant Town Clerk Roig recording the meeting.

Mayor Paul noted the recent passing of Hamilton Foreman, a “true Broward County visionary” who had helped shape the County. A moment of silence was observed in his honor.

Joseph De Stefano, Building Division Manager, led an invocation, and Mayor Paul said their prayers went out to those affected by the earthquake in Haiti.

Mayor Paul announced staff had requested tabling item 3.4 to February 3.

Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul advised the following public hearings to be tabled to February 3: 5.5 and 5.6. Vice-Mayor Crowley made a motion seconded by Councilmember Luis, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul stated staff had requested the addition of item 12.1 Town Attorney’s comments. Councilmember Starkey made a motion, seconded by Councilmember Luis, to add. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul announced the following items were withdrawn: 3.12, 8.1.

Mayor Paul pulled items 3.1 and 3.3 from the Consent Agenda. Councilmember Luis pulled item 3.13. Councilmember Caletka pulled items 3.5, 3.17, 3.19 and 3.20.

Councilmember Starkey, made a motion, seconded by Vice-Mayor Crowley, to approve the Consent Agenda, less items 3.1, 3.3, 3.5, 3.13, 3.17, 3.19 and 3.20. In a voice vote, all voted in favor. (Motion carried 5-0)

### **3. APPROVAL OF CONSENT AGENDA**

#### *Minutes*

- 3.1 December 2, 2009 Minutes (Regular Meeting)
- 3.2 December 16, 2009 Minutes (Workshop)
- 3.3 December 16, 2009 Minutes (Regular Meeting)

#### *Resolutions*

- 3.4      **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA APPROVING A CONTRACT FOR PURCHASE AND SALE BETWEEN THE TOWN OF DAVIE, FLORIDA AND THE DAVIE COMMUNITY REDEVELOPMENT AGENCY FOR DAVIE TOWN HALL, AUTHORIZING THE MAYOR TO ACKNOWLEDGE SAID APPROVAL BY AFFIXING HER SIGNATURE TO SAID RESOLUTION, AND PROVIDING FOR AN EFFECTIVE DATE. (Tabled from January 6, 2010 meeting). \$4.2 million
- 3.5      **AGREEMENT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EXTENSION OF THE AGREEMENT BETWEEN THE TOWN OF DAVIE AND GEOGRAPHIC TECHNOLOGIES GROUP. \$307,384
- 3.6      **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID RECOMMENDATION FOR THE “POLICE DEPARTMENT FIRE ARMS TRAINING FACILITY.”\$ 1,778,000.00
- 3.7      **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM Pb03 ENVIRONMENTAL TESTING TO PROVIDE LEAD PAINT INSPECTION SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.8      **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM ORANGE PEST CONTROL TO PROVIDE TERMITE INSPECTION SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.9      **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM CERTIFIED MOLD FREE CORP. TO PROVIDE MOLD INSPECTION SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.10     **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM NORTH AMERICAN TITLE COMPANY TO PROVIDE TITLE AND CLOSING SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.11     **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM GFA INTERNATIONAL TO PROVIDE ASBESTOS INSPECTION SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.12     **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM LAND DESIGN SOUTH OF

FLORIDA, INC. TO PROVIDE PHASE I ENVIRONMENTAL ASSESSMENT SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).

- 3.13 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM GREENTREE ENVIRONMENTAL SERVICES, INC. TO PROVIDE CHINESE DRYWALL INSPECTION SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.14 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM EnHEALTH ENVIRONMENTAL, INC. (ENE) TO PROVIDE RADON GAS INSPECTION SERVICES FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP).
- 3.15 **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH EDJ SERVICES, INC. AND CJ'S LANDSCAPING AND GARDENING, INC. FOR PARKS LAWN MAINTENANCE SERVICES. \$106,597.38
- 3.16 **CONTRACTOR REASSIGNMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACCEPT THE REASSIGNMENT OF THE CONSTRUCTION ADMINISTRATION OF THE "POLICE DEPARTMENT - FIRE ARMS TRAINING FACILITY" FROM CUBELLIS, INC. TO MANUEL SYNALOVSKI ASSOCIATES, LLC. \$ 50,000.00 Previously Approved Funds
- 3.17 **LETTER OF ENGAGEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN ENGAGEMENT LETTER WITH THE FIRM OF CALER, DONTEN, LEVINE, PORTER & VEIL, P.A. TO REVIEW THE TOWN'S PAYROLL TIME KEEPING AND REPORTING SYSTEMS, REVIEW RELATED INTERNAL CONTROLS, AND TO PROVIDE RECOMMENDATIONS FOR IMPROVED EFFICIENCY, EFFECTIVENESS, AND STANDARDIZATION. \$12,000.00
- 3.18 **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING AND AUTHORIZING THE ROBBINS PARK PHASE II APPLICATION TO THE 2010 BROWARD COUNTY PARTNERS IN PRESERVATION GRANT PROGRAM, AND IF AWARDED THE GRANT, AUTHORIZING ITS ACCEPTANCE AND EXECUTION.

3.19      **MITIGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF CODE COMPLIANCE LIENS IN CASE NO. 06-1225 FROM \$178,000.00 IN AMOUNT TO \$4,000.00; AND PROVIDING AN EFFECTIVE DATE.

3.20      **UTILITY EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA GRANTING AN EASEMENT FROM THE TOWN OF DAVIE TO COMCAST CABLE COMMUNICATIONS AND FLORIDA POWER & LIGHT FOR THE INSTALLATION OF UNDERGROUND UTILITIES.

#### **4.      DISCUSSION OF CONSENT AGENDA ITEMS**

3.1 & 3.3      Mayor Paul requested a motion to table so she could make corrections with the Town Clerk.

Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey, to table to February 3. In a voice vote, all voted in favor. (Motion carried 5-0)

3.5      Councilmember Caletka acknowledged there was a benefit to having this type of technology, but he felt this was more of a “want” than a “need.” He felt there would be no serious detriment to the Town if this were put off for a year.

Mr. Shimun explained that the program would improve the efficiency of permitting, planning and zoning, utilities and police and fire. It would result in digital records that would be easily accessible to the public and to Council.

Mr. DeStefano explained how the system worked, and confirmed for Councilmember Luis that it would provide a “great advantage to planning and utilizing the management tools to better serve the community.” Information in the database would be available to responders in every apparatus. Mr. Shimun stated it would save lives and time.

Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, with Councilmember Caletka dissenting, all voted in favor. (Motion carried 4 - 1)

3.13      Councilmember Luis asked if funds were available to help homeowners affected by Chinese drywall. Housing Director Giovanni Moss responded that there was state and federal funding available for homeowners who met the income requirement, which required the property owner to earn 80% or less of the area median income in Broward County. For a household of four, this threshold was approximately \$64,000 per year. Mr. Moss stated that next year, the threshold would increase to 120% of the area median income.

Vice-Mayor Crowley made a motion to approve.

Councilmember Starkey thought this would be an insurance issue for homeowners, and there would ultimately be a product liability lawsuit.

Councilmember Luis seconded the motion to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

3.17 Councilmember Caletka stated this item “seemed odd” to him. He asked where the original request had come from and why this vendor had been chosen without a letter of interest.

Budget and Finance Director Bill Ackerman explained that there was no consistency throughout the Town regarding how payroll was done, and this was desired to help devise a Town-wide policy so they were all on the same page. Mr. Ackerman said this firm had the background and experience staff desired; if Council wished, they could utilize the RFP process. Procurement Manager Herb Hyman pointed out that professional services were exempt from the bidding process.

Mr. Hyman informed Vice-Mayor Crowley that per state statute, only four disciplines were subject to the Consultants Competitive Negotiations Act, (CCNA) process and the Town had an ordinance indicating that professional services were exempt from the bidding process. This included occupations where a special license was required to practice.

Mr. Rayson said he suggested capping the contract at \$12,00 per year. Mr. Ackerman stated this was a one-time review, and the resolution was written to cap the cost at \$12,000.

Councilmember Luis thought it was a mistake to prohibit bidding on professional services. He agreed this review was a good idea, but said, “how this came about is not right.”

Mr. Shimun stated they were using the rules established by Council. Mr. Hyman offered to re-write the purchasing ordinance.

Councilmember Starkey said she supported this, provided the cap of \$12,000 was included.

Councilmember Caletka would have preferred that information regarding this vendor had been provided to Council prior to the vendor’s selection. Mr. Ackerman explained staff had contacted other firms, but this was a specialized area and many firms did not like to perform this type of review.

Mayor Paul suggested tabling this item until the next meeting, when staff could provide Council with more information about the vendor. Councilmember Caletka agreed to this.

Councilmember Starkey made a motion to table to Council’s next meeting.

Mr. Ackerman agreed to add the \$12,000 cap.

Mayor Paul advised Council could continue the discussion regarding changes in the ordinance to address this concern in the future.

Councilmember Caletka seconded the notion to table. In a voice vote, all voted in favor. (Motion carried 5-0)

3.19 Councilmember Caletka said he wanted to speak to Mr. Rayson about this.

Councilmember Caletka made a motion, seconded by Vice-Mayor Crowley, to table to the next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

3.20 Councilmember Caletka wondered why this was a necessity in this location, and how it could jump start development in the area. Redevelopment Administrator Will Allen explained this was a request from the partners of the Downtown Davie project. He noted that the Griffin Corridor, where that project was located, required that the lines be buried prior to development. The easements were needed to bury the lines, which was already underway. He added that Emerald Isles would not be affected.

Vice-Mayor Crowley made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, with Councilmember Caletka dissenting, all voted in favor. (Motion carried 4-1)

## 5. PUBLIC HEARING

### *Resolution*

#### 5.1 **CAPITAL IMPROVEMENT PROGRAM AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2010-2014.**

Mr. Rayson read the resolution be title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Starkey felt the item should be tabled until the new Town Hall facility issue was resolved, or the line item should be removed.

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka to table to the second meeting in February. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

### *Ordinance - Second and Final Reading*

#### 5.2 **MORATORIUM - AN ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF LOCAL BUSINESS TAX RECEIPTS, FORMERLY KNOWN AS OCCUPATIONAL LICENSES, FOR THE OPERATION OF "PAIN CLINICS" AND/OR "PAIN MANAGEMENT CLINICS" FOR A PERIOD OF 180 (ONE HUNDRED EIGHTY) DAYS PENDING A STUDY OF REGULATORY SAFEGUARDS ENACTED IN OTHER JURISDICTIONS. {Approved on First Reading on January 6, 2010. The vote is as follows: Mayor Paul - absent; Vice Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes.}**

Mr. Rayson read the resolution be title.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmember Starkey made a motion, seconded by Councilmember Luis, to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Mayor Paul stepped away from the dais at 7:44 p.m.

*Ordinances - First Reading (Second Reading to be held on February 3, 2010)*

5.3 **BUDGET AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2010; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Rayson read the resolution be title.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmember Caletka thought they had discussed using some money from building, utilities, etc., but this ordinance indicated all \$9 million would come from the general fund.

Mr. Ackerman believed this had been approved as it had come to Council, which indicated general fund reserves would be used. Mr. Rayson said Council could make changes now, but noted there were different reserve funds besides the general fund that had been resorted to for other items in the budget amendment.

Councilmember Starkey disagreed with utilizing reserves or general fund money for \$9 million, but said she could support most of the other projects.

Councilmember Caletka thought he had voted in favor of approving the purchase, but having the options put before Council to determine what was most appropriate. He recommended tabling the item.

Mayor Paul returned to the dais at 7:48 p.m.

Mr. Ackerman advised there would be a second hearing in February, so Council could pass the item as is, with changes, or table the item.

Vice-Mayor Crowley made a motion, seconded by Councilmember Luis, to approve. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-2)

5.4 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 7, FIRE PREVENTION AND PROTECTION, CREATING SECTION 7-51(8) OF THE CODE, PROVIDING FOR IMMUNITY FROM CIVIL LIABILITY PURSUANT TO FLORIDA STATUTES 768.1325; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Rayson read the resolution be title.

Mayor Paul opened the public hearing portion of the meeting. Mayor Paul announced that a public hearing on the ordinance would be held on February 3<sup>rd</sup>. She noted that a public hearing on the previous ordinance would also be held on February 3<sup>rd</sup>. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.



Vice-Mayor Crowley provided Mr. Rayson with correspondence received from Rexmere Village.

Vice-Mayor Crowley made a motion, seconded by Councilmember Caletka to approve, subject to Mr. Rayson's review.

Councilmember Starkey said the exemption from civil liability was the issue, and Mr. Rayson was working on this. Mr. Rayson said he had taken the letter into account, and he believed what they had was faithful to the request made in the letter. He stated the ordinance tracked state law. He did not believe they needed the ordinance because state statute specified that one was free from liability when using a defibrillator on someone having a cardiac event. Vice-Mayor Crowley advised Mr. Rayson to present any concerns at the second hearing.

In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

- 5.5      **LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LA 9-1-09 SUNFOREST APARTMENTS, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 10 DU/AC" TO "RESIDENTIAL 22 DU/AC"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Tabled to February 3, 2010.

*Ordinance First Reading - (Second and Final Reading to held at a later date)*

- 5.6      **LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LA(TXT)10-1-08 AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO INCREASE THE NUMBER OF RESIDENTIAL UNITS WITHIN THE REGIONAL ACTIVITY CENTER LAND USE CATEGORY BY 3,500 UNITS, AMENDING INTENSITY AND DENSITY STANDARDS WITHIN THE REGIONAL ACTIVITY CENTER LAND USE CATEGORY; AMENDING OBJECTIVE 27, SCHOOL SITING, IN ORDER TO PERMIT PUBLIC SCHOOL SITES WITHIN THE TRANSIT ORIENTED CORRIDOR (TOC) LAND USE CATEGORY, AMENDING THE MAXIMUM BUILDING HEIGHT FOR COMMERCIAL AND INDUSTRIAL LAND USE CATEGORIES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Tabled to February 3, 2010.

## **6. APPOINTMENTS**

- 6.1      Mayor Paul

6.1.1 Open Space Advisory Committee Agency (one exclusive appointment - term expires April 2010)

No appointment was made.

6.2 Vice-Mayor Crowley

6.2.1 Youth Education and Safety Advisory Committee (one exclusive appointment - term expires April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood).

No appointment was made.

6.3 Councilmember Luis

6.3.1 Youth Education and Safety Advisory Committee (one exclusive appointment - term expires April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood).

No appointment was made.

6.4 Councilmember Starkey

6.4.1 Open Space Advisory Committee Agency (one exclusive appointment - term expires April 2010)

No appointment was made.

7.5 Fire Pension Board to be announced as elected by the Pension Board

Ms. Roig advised that the Fire Pension Board had been unable to meet, so an appointment would be announced at Council's second meeting in February.

## **7. OLD BUSINESS**

7.1 Backflow Prevention

Staff recommended backflow prevention, per Council's request, and described the program.

Councilmember Starkey noted this was an important safety measure and generated revenue to pay for itself.

Councilmember Starkey made a motion to approve.

Staff said they were recommending a \$30 charge for re-certification. Vice-Mayor Crowley recommended a \$25 charge for the first year.

Councilmember Starkey amended her motion to request that staff bring back the ordinance indicating that the charge would be \$25 and to go with the Tokay System.

Vice-Mayor Crowley seconded Councilmember Starkey's motion.

In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Crowley - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

## 7.2 Town Administrator Evaluation

Director of Human Resources Barbara Dupré provided a summary of Council's scoring. Councilmember Starkey requested a copy of all Councilmembers' comments.

Councilmember Starkey remarked that she had seen progress, particularly over the last six months, but the area of communication still needed improvement. She invited Mr. Shimun to suggest anything he needed to help facilitate improvement.

Vice-Mayor Crowley said he would meet with Mr. Shimun privately within the next week.

Councilmember Luis did not like getting the evaluations annually because "when people fill these out, and they don't fill them out often, they fill them out according to the mood they're in that day." He felt they should be used monthly or quarterly. Councilmember Luis thought the Town was in much better shape now than it had been when he was first elected. He complimented Mr. Shimun on employees he had hired. Councilmember Luis wanted Mr. Shimun to work to develop a better relationship with one Councilmember.

Councilmember Caletka said he would count hiring Mr. Shimun as an accomplishment, and would vote again today to hire him. He noted that staff had respect for Mr. Shimun as well. Councilmember Caletka agreed that one of his strongest skills was his ability to hire personnel. He also appreciated that Mr. Shimun was always available to meet with him, and that he performed great follow-up with staff.

Mayor Paul agreed with Councilmember Starkey that there were issues regarding communication. She wished that Mr. Shimun would provide more detailed reports and that he spend more time attending public events after work hours. Mayor Paul requested to sit down with Mr. Shimun the following week to discuss her concerns.

Mayor Paul wished to be kept aware of what was going on in the Town so that she was prepared when residents called her. She thanked department heads for providing her with monthly reports. Councilmember Starkey requested that these reports be forwarded to all Councilmembers.

Mr. Shimun thanked Councilmembers for their input, and remarked that they had made tremendous progress in the three years he had been with the Town. He noted that the comprehensive financial reports had been three years behind when he arrived. There had been outdated or in some cases no policy/procedure manuals; department heads had no accountability to ensure departments were working efficiently. Employee morale and productivity were low and there was little to no transparency in department business, resulting in duplication and gaps in services and tasks.

Mr. Shimun said he had taken inventory of all issues affecting administration and worked to rectify the lack of care and attention existing in all Town Departments. He had prioritized these issues and acted upon the most critical first. Mr. Shimun had implemented recommendations from the audit; evaluated department heads and made changes to improve performance. He developed policies and procedures throughout all departments and shifted the culture in the departments to one of accountability,

transparency, and efficiency. Mr. Shimun listed specific accomplishments in various departments.

Mr. Shimun said they were working together to create a strategic vision that had not been in place in the past. This would enable them to continue with the work they had untaken to focus on projects that would get them to the right end result: a well-managed, transparent and accountable Town administration.

Mayor Paul asked Mr. Shimun to discuss accomplishments when he made his comments during Council meetings. She asked that quarterly financial reports be submitted to Council.

Councilmember Starkey noted that the CRS (GovQ&A) system could be used to track projects, and asked that a priority matrix be created for Council. Mr. Shimun agreed to look into this and report back to Council.

## **8. NEW BUSINESS**

8.1 Deannexation of I-595 - Councilmember Caletka  
Item withdrawn.

### **HAITI RELIEF EFFORTS**

Assistant Fire Chief Frank Suriano announced that the Davie Fire Benevolent Association was overseeing the donations for Haiti. Mayor Paul pointed out that donations of clothing were not desired. Chief Suriano agreed to post a list of desired donations on the Town's website. There was currently a list of reputable organizations to which residents could donate on the website. Councilmember Starkey encouraged residents to donate to relief efforts.

## **9. SCHEDULE OF NEXT MEETING**

## **10. MAYOR/COUNCILMEMBER'S COMMENTS** **COUNCILMEMBER CALETKA**

**MARRIAGE CEREMONY AT ROBBINS LODGE.** Councilmember Caletka referred to a letter from a couple requesting to be married at Robbins lodge. He noted that ordinances prohibited service of alcohol and outdoor reception tents. Councilmember Caletka wondered if they might wish to consider changing this policy so the facility could be used more often. Mayor Paul remembered that when Robbins Lodge first opened, many residents were concerned about people leaving the park after using liquor and driving, and it was agreed to try it for a year with the liquor prohibition, with the understanding that the issue would be revisited, but this had never been done.

Vice-Mayor Crowley had spoken with the bride, and noted that they all knew her father. Mr. Andresky had indicated that the tent could be allowed, as well as candles, but the alcohol was a problem. He intended to discuss the possibility of a special permit with Mr. Shimun and Mr. Rayson.

Councilmember Starkey did not want to “open the door for any of our parks to allow for liquor sales or liquor to be distributed or anybody to consume liquor in our parks because it sets a bad precedent all the way around.” She suggested the Old Davie School for the reception, where alcohol could be served.

**TOWN HALL MEETING.** Councilmember Caletka was setting up a Town Hall meeting regarding a rash of robberies, and wanted to let other Councilmembers know so they could plan to attend if they wished. Mayor Paul suggested a Town-wide meeting, and Councilmember Caletka agreed to coordinate this.

**BERGERON PARK PLAYGROUND EQUIPMENT.** Councilmember Caletka asked when the new facilities would be installed. Public Works Director Manny Diez reported the contract had been awarded, and he anticipated the equipment would be in place in one to two months.

**VOTER FILE ANOMALY.** Councilmember Caletka pointed out a voter file anomaly in District 3, and he wanted to be sure this was corrected before absentee ballots were sent out. Mr. Muniz said staff was aware of this issue and was working with the Supervisor of Elections to resolve it.

#### **COUNCILMEMBER LUIS**

**SHENANDOAH HOMEOWNERS ASSOCIATION MEETING.** Councilmember Luis thanked members of the Shenandoah Homeowners Association for inviting him to their recent annual meeting.

**LETTER REGARDING CONSTRUCTION ON I-595.** Councilmember Luis read a letter he had received regarding construction on I-595 due to commence on February 15, 2010. There was a meeting scheduled for January 28<sup>th</sup> at the Signature Green from 4:00 p.m. to 8:00 p.m. relating to this project.

**CALVARY SAWGRASS CHURCH HAITI’S HOPE.** Councilmember Luis announced that Calvary Sawgrass Church Haiti’s Hope would host a luncheon at the Outback on Griffin Road, the proceeds of which would be donated to Haiti’s Hope.

#### **VICE-MAYOR CROWLEY**

**URBAN FARMING PROPOSAL.** Vice-Mayor Crowley asked that the urban farming proposal on the agenda of the Parks and Recreation Advisory Board also be sent to the Agriculture Committee.

**30-YEAR EMPLOYEES.** Vice-Mayor Crowley recognized Grace Hall from the Fire Department and Special Projects Director Bonnie Stafiej, both of whom had been with the Town for 30 years.

#### **COUNCILMEMBER STARKEY**

**KINGS MANOR COMMUNITY CENTER OPENING.** Councilmember Starkey had attended the Kings Manor Community Center opening, and a manager had requested an

outreach center for health testing and fire alarm give-aways. She said many former Palma Nova residents had relocated to Kings Manor.

**I-595 CUT-THROUGH TRAFFIC PROBLEM.** Councilmember Starkey had been working with contractors and FDOT project managers regarding the potential I-595 cut-through traffic problem. She wanted to pursue traffic calming measures during construction. Councilmember Starkey suggested meeting with the Engineering Department to address this. She said public notification and local signage could be used to make motorists aware of the detours and cut-through prohibitions.

#### **MAYOR PAUL**

**MARTIN LUTHER KING JR. PROGRAM AT PAL.** Mayor Paul had attended the Martin Luther King Jr. program at PAL the previous weekend. She thanked the PAL for putting it on, and Ms. Stafiej for organizing it.

**BOARD MEMBER ATTENDANCE.** Mayor Paul wondered if they should reconsider the policy of dismissing advisory board members automatically after three absences to excuse absences for bona fide illnesses. Councilmember Luis remembered that this policy had been changed because there had been serious quorum issues. He felt the current policy worked.

**NATURE EXPLORE WORKSHOP PROGRAM.** Mayor Paul announced that the City of Plantation would hold a Nature Explore Workshop program at Volunteer Park on February 12 from 9:00 to 4:00.

**THANKS TO MR. MOSS.** Mayor Paul thanked Mr. Moss for the work he had done with Housing and Community Development. She remarked that the Home Ownership Assistance Program was working well; two clients had already been served by the State Purchase Assistant Program and 8 clients had been served by the HUD Purchase Assistance Program. The State's Home Repair Program had served 26 clients. Mayor Paul stated the Town had been allotted \$71,000 to administer eight to nine grants for first-time homebuyers.

**LETTERS OF COMMENDATION.** Mayor Paul had letters of commendation for Lee, Town Engineer, recognizing the work he had done at Orange Park community meetings, and for two Police Officers.

**ORANGE BLOSSOM FESTIVAL PLANT GIVEAWAY BOOTH.** Mayor Paul wished that the plant giveaway continue at the Orange Blossom Festival and be instituted at the Green Fair.

**HAPPY BIRTHDAY MR. CROWLEY.** Mayor Paul wished Vice-Mayor Crowley a happy birthday.

Regarding the advisory board member attendance policy, Councilmember Starkey did not wish to change the current rules, but pointed out that quorum for all boards should be based on number of members appointed.

#### **11. TOWN ADMINISTRATOR'S COMMENTS**

**STRATEGIC PLAN.** Mr. Shimun reiterated that Council now had the completed Strategic Plan. He announced that at the Broward County City Managers Association meeting he would attend the next day, they would discuss the Fire District bill that was coming up. He agreed to bring this information back to Council.

**FLORIDA CITY MANAGEMENT ASSOCIATION MEETING.** Mr. Shimun reported he would attend the Florida City Management Association meeting on February 3<sup>rd</sup>, so his assistants would attend the Council meeting in his absence.

**CHAMBER OF COMMERCE MEETING.** Mr. Shimun had visited his son in Lawrence Kansas, which he felt was a great college town. He had returned and spoken with John Santuli and Kona Grey at the recent Chamber of Commerce meeting and discussed how they could transform the Davie Boulevard area to resemble downtown Lawrence Kansas.

#### **12. TOWN ATTORNEY'S COMMENTS**

##### **12.1 LITIGATION REPORT**

Mr. Rayson reported things were going well regarding litigation.

Regarding the advisory board quorum issue, Mr. Muniz advised that the Advisory Board Ordinance stated, "Greater than 40% of the total number of Board/Committee members shall be required to be present to hold a meeting." There was no reference to *appointed* members; it referred to total membership. If Council wished to require 40% of appointed members, the language of the ordinance should be changed. Council directed Mr. Muniz to move this forward. Mr. Muniz confirmed that roll was taken at every meeting, including when quorum was not met.

#### **13. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 9:17 p.m.

Approved on: \_\_\_\_\_

\_\_\_\_\_

Mayor/Councilmember

\_\_\_\_\_

Town Clerk